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Please amend the subject application as follows:

IN THE SPECIFICATION

Page 2, rewrite the paragraph starting at line 24 to read as follows.

As shown in FIG. 3, the length-to-width ratio of the tubes 6 that make up the honeycomb cannot exceed the length-to-width ratio of the FOV 13 of the optical device to which it is fitted. In this way, the anti-reflection shield does not restrict field of view seen through the optical device.

REMARKS

Applicant appreciates the Examiner's thorough examination of the subject application and requests reconsideration of the subject application based on the foregoing amendments and the following remarks.

Claims 1-5, 7-9, 11 and 13-15 are pending in the subject application of which claims 1-5, 7-9, 11 and 15 stand rejected under 35 U.S.C. §103 and claims 13-14 stand rejected under 35 U.S.C. §112, first paragraph.

The as-filed Statement Claiming Small Entity Status dated June 5, 1998 was objected to. The concern is addressed further herein.

The specification was objected to and correction required. The drawing figures were objected to and correction required. The concerns with each of the specification and drawing figures are addressed herein. The amendments to the specification do not introduce new matter as these amendments are to make the numbering of the specification consistent with the drawing figures.

Included herewith is a marked-up version of the amendments to the subject application by the current amendment. The marked-up versions are found on the pages captioned or entitled "Details of Amendments" that follow the signature page of the within Response.

35 U.S.C. 112, FIRST PARAGRAPH REJECTIONS

Claims 13-14 stand rejected under 35 U.S.C. §112 on the grounds that these claims contain subject matter that was not described in the specification of the subject application. Applicant respectfully traverses.

As to claim 13, the Office Action asserts that the specification does not provide support for the limitation that the wide angle field of view (FOV) of the optical lens is at least 40°. Applicant refers the Examiner to page 2 of the subject application for the support for this limitation. As such, Applicant respectfully requests the within §112 rejection as to claim 13 be withdrawn.

As to claim 14, the Office Action asserts that the disclosure as originally filed does not support the limitation that the vane means produces tubes with a length-to-width ratio greater than the length-width-ratio of the FOV. Applicant refers the Examiner to the discussion at pages 2-3 of the subject application regarding FIGS. 3-5 of the subject application as well as the description of the present invention. It is clear from this discussion that the anti-reflection shield as illustrated in FIG. 3 does not restrict the field of view seen through the optical device when the length to width of the tubes comprising the illustrated anti-reflection shield does not exceed the length to

width ratio of the FOV of the optical device. In the discussion that follows regarding wide angle field of view and FIGS. 4-5 it is indicated that if tubes deep or long enough to give good glint protection are used, then the tubes would intrude upon the FOV and vignette the image being seen through the device. It is further provide on page 3, that the problem (i.e., the problem with wide-angle field of view applications) has been how to get the tubes long enough to provide glint effective protection without vignetting the view through the optic.

Applicant respectfully submits that anyone skilled in the art upon reading the discussion on pages 2-3 of the subject application and viewing the figures related thereto as well as the discussion of the present invention and the figures related thereto would know that the vane means of the present invention would necessarily produce tubes with a length to width ratio greater than the length to width ratio of the FOV. As such, Applicant respectfully requests the within §112 rejection as to claim 14 be withdrawn.

Accordingly, claims 13 and 14 satisfy the requirements of 35 U.S.C. §112, first paragraph and, therefore, these claims are allowable.

35 U.S.C. §103 REJECTIONS

Claims 1-5, 7-9, 11 and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over the cited prior art for the reasons provided on pages 4-8 of the above-referenced Office Action. The following addresses the specific rejections provided in the above-referenced Office Action.

CLAIMS 8 & 9

Claims 8 and 9 stand rejected as being unpatentable over Jones [USP 4,929,055; "Jones `055"] for the reasons provided on page(s) 4-5 of the above referenced Office Action. Applicant respectfully traverses.

Applicant claims, claim 8, a system for reducing reflection from a surface of an optical lens that includes non-parallel vane means for limiting reflections from said surface while maintaining a substantially wide Field of View (FOV) for said optical lens. Also, the vane means is for mounting proximate the surface of the optical lens.

The rejection of the present invention is not based on any explicit language in Jones `055 that the anti-reflective structure shown for example in FIG. 10, can be used to limit reflections from the surface of an optical device particularly an optical device that provides optical magnification. Moreover, there is no explicit language in Jones `055 that such an anti-reflective structure can be used to limit the reflections from the surface of an optical device having a wide-angle field of view. Rather reliance appears to be made on a generalized paragraph in column 6 of Jones `055 (i.e., the second to last paragraph in specification preceding the claims), that generally refers to structures in accordance with the invention and how such structures can be used with many different types of optical devices or other reflective surfaces. Reliance is made notwithstanding the inconsistent language in the discussion the Examiner refers to in column 5, which states that for *some* applications (some is obviously not inclusive of all applications), that it *may* be desirable to arrange the tubular elements so the tubular

elements are at an angle other than 90 deg with respect to reflective surface in question. Furthermore, the exemplary embodiment of such a structure described therein in connection with Figure 10 describes an anti-reflective structure used with a **non-optical** device. It is explicitly stated that the term non-optical device is used in the sense that the device does **not provide any optical magnification**. It is further indicated that the non-optical device might be a mirror or a glass surface such as a windshield.

In sum, the exemplary embodiment, clearly excludes all devices that involve optical magnification and the language in column 5 clearly limits the use of such a structure to some applications. In contrast, the Examiner uses the generalized language referred to in column 6 to assert that this structure can be used for a wide number of applications including those involving the use of devices that provide optical magnification specifically excluded by the exemplary embodiment.

The subject application also describes various shortcomings with the honeycomb tubular anti-reflective structure described in Jones `055. Specifically it is provided that the tubes in these devices have walls that are parallel to the optical axis of the device to which it is fitted and that this technique is not an effective solution with wide angle field of view devices.

The subject application in connection with the discussion of FIGS. 4-5, further indicates that a structure that will not vignette the view through the optic in wide angle field of view applications, would not give effective glint protection. Thus, wide-field of view optical devices are vulnerable to detection by the enemy or unwanted individual.

As a result, the position of an observer could be determined or revealed to the enemy or unwanted individual.

It also is provided in the subject application (e.g., see page 6 thereof) that for the non-parallel configuration of the vane means of the present invention most points on the surface of the objective lens will have some of their lines of view blocked. This in turn may cause a greater light loss than with the light loss from the earlier method of using a honeycomb of parallel tubes. It is noted that the increased light loss would be considered acceptable in many battlefield situations if the improved shield keeps the user of the optical device from being detected by the enemy because of reflections. Thus, it can hardly be said that one skilled in the art would have been motivated to use a device that would increase loss of light absent an explicit teaching of a benefit or advantage that would flow therefrom.

As provided in MPEP 2143.01, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F. 2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F. 2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). As provided above, the reference includes no such teaching, suggestion or motivation but rather one is being assumed or inferred by reference to inconsistent language in Jones '055 so as to give a broader meaning than that provided in the discussion for the exemplary embodiment and related discussion.

Furthermore, and as provided in MPEP 2143.02, a prior art reference can be combined or modified to reject claims as obvious as long as there is a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 19866). Additionally, it also has been held that if the proposed modification or combination would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. Further, and as provided in MPEP-2143, the teaching or suggestion to make the claimed combination and the reasonable suggestion of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). As can be seen from the forgoing discussion regarding the disclosures of the cited reference, there is no reasonable expectation of success provided in the reference that an anti-reflection device such as that claimed by Applicant if mounted in front of an optical device in which there is optical magnification would be reasonably successful in limiting reflections while maintaining a substantially wide field of view therefore.

Also, it is clear from the foregoing discussion that the modification suggested by the Examiner would change the principle of operation of the device disclosed in the reference as is described in the subject application. As indicated above, a lesser amount of light than that of prior art devices will reach the optical device using the system of the present invention. It necessarily follows that the system of the present invention and that of the prior art operate differently.

It is respectfully submitted that claims 8 and 9 are patentable over the cited reference for the foregoing reasons.

CLAIMS 1-5, 7, 11 & 15

Claims 1-5, 7, 11 and 15 stand rejected as being unpatentable over Jones `055 in view of Softly [USP 4,365,866] for the reasons provided on page(s) 5-8 of the above referenced Office Action. Applicant respectfully traverses.

Applicant claims, claim 1, an apparatus for reducing reflection on a surface comprising that includes a plurality of concentric circular vanes, mounted in front of the reflective surface. Each of the vanes includes a first end proximate the surface, and a second end away from the surface, wherein the first ends of the plurality of vanes are spaced apart from each other at a different distance than the second ends of the plurality of vanes are spaced apart from each other. Also, the first ends of the plurality of vanes are spaced further apart from each other than the second ends of the plurality of vanes wherein a wide field of view through the reflective surface is maintained.

As to the alleged teachings of Jones `055 to these claims, Applicant also adopts herein the foregoing remarks in connection with claims 8 and 9.

As to the assertion that Jones `055 shows or teaches vanes where the first ends are spaced a different distance from each other than the second ends, Applicants respectfully disagree. It is clear throughout the discussion in column 5 of Jones `055 that tubular elements are generally placed at various angles. The term tubular is not

generally used to denote a structure in which one end is sized differently than the other end.

The Examiner admits that Jones '055 is deficient in that it fails to teach that the first ends of the concentric circular vanes are spaced apart from each other at a different distance than the second ends of the concentric circular vanes are spaced part from each other. The Office Action further asserts that it would have been obvious to one skilled in the art to modify the apparatus having vanes disposed in front of a lens reflecting surface of an optical device as provided by Jones by rearranging the orientation of the vanes so that the distance between two adjacent second ends of the vanes is different from the distance defined between two adjacent second ends of the vanes as suggested by Softly for the purpose of reducing the light reflection while still maintaining the wide field of view of the optical device. Applicant respectfully disagrees.

As the Federal Circuit has recently stated in *In re SANG-SU LEE*, 271 F.3d 1338, 1342-1344; 277 USPQ 2d 1430 (Fed. Cir. 2002):

> As applied to the determination of patentability *vel non* when the issue is obviousness, "it is fundamental that rejections under 35 U.S.C. §103 must be based on evidence comprehended by the language of that section." *In re Grasselli,* 713 F.2d 731, 739, 218 USPQ 769, 775 (Fed.Cir.1983). The essential factual evidence on the issue of obviousness is set forth in *Graham v. John Deere Co.,* 383 U.S. 1, 17-18, 86 S.Ct. 684, 15 L.Ed.2d 545, 148 USPQ 459, 467 (1966) and extensive ensuing precedent. The patent examination process centers on prior art and the analysis thereof. When patentability turns on the question of obviousness, the search for and analysis of the prior art includes evidence relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness. *See, e.g., McGinley v. Franklin Sports, Inc.,* 262 F.3d 1339, 1351-

52, 60 USPQ2d 1001, 1008 (Fed.Cir.2001) ("the central question is whether there is reason to combine [the] references," a question of fact drawing on the *Graham* factors).

"The factual inquiry whether to combine references must be thorough and searching." *Id.* It must be based on objective evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with. *See, e.g., Brown & Williamson Tobacco Corp. v. Philip Morris Inc.,* 229 F.3d 1120, 1124-25, 56 USPQ2d 1456, 1459 (Fed.Cir.2000) ("a showing of a suggestion, teaching, or motivation to combine the prior art references is an 'essential component of an obviousness holding' ") (quoting *C.R. Bard, Inc., v. M3 Systems, Inc.,* 157 F.3d 1340, 1352, 48 USPQ2d 1225, 1232 (Fed.Cir.1998)); *In re Dembiczak,* 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed.Cir.1999) ("Our case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references."); *In re Dance,* 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed.Cir.1998) (there must be some motivation, suggestion, or teaching of the desirability of making the specific combination that was made by the applicant); *In re Fine,* 837 F.2d 1071, 1075, 5 USPQ2d 1596, 1600 (Fed.Cir.1988) (" 'teachings of references can be combined *only* if there is some suggestion or incentive to do so.' ") (emphasis in original) (quoting *ACS Hosp. Sys., Inc. v. Montefiore Hosp.,* 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed.Cir.1984)).

The need for specificity pervades this authority. *See, e.g., In re Kotzab,* 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed.Cir.2000) ("particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed"); *In re Rouffet,* 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed.Cir.1998) ("even when the level of skill in the art is high, the Board must identify specifically the principle, known to one of ordinary skill, that suggests the claimed combination. In other words, the Board must explain the reasons

> one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious."); *In re Fritch*, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed.Cir.1992) (the examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references").

It appears from the discussion on pages 7-8 on the above-referenced Office Action that there is basic misunderstanding as to what Softly is teaching and its applicability or the lack thereof to the disclosures of Jones `055 and the asserted justification to combine the references. As a starting point, Applicant first describes the invention as set forth in claim 1 with reference to figure A attached hereto.

According to the present invention, and as shown in figure A, a person or viewer ("V") is situated on one side of the optical device 33, the side opposite to a light reflective surface thereof. A light reflective device 60 is disposed proximal the light reflective surface as shown in figure A. Thus, the field of view referred to the claims and the subject application is the viewer's (V's) view through the light reflective surface and through the light reflective device (e.g. through field goggles, through the vanes of the light reflective device) and into the world. In this way, the viewer ("V") observes the images formed by the light passing through the light reflective device 60 and in turn through the optical device 33. The field of view also is depicted in the present invention as 71 in Figures 12-14. As described in the subject application, the light reflection

device is configured and arranged so as to maintain the wide field of view of the optical device when disposed in front of the device's reflective surface.

As provided in the present invention, reflection of light off of the light reflective surface, such as the reflective surface of an optical device, is minimized by the light reflective device 60. As shown in figure A, an individual ("I"), sometimes referred to in the subject application as the enemy, can be in a position that is on the same side as the reflective surface of the optical device 33 and so that the light reflection device 60 is disposed between the individual "I" and the reflective surface. In this position, if a light reflection device 60 was not provided it is possible for light from any of a number of sources from any of a number of directions to be reflected from the reflective surface of the optical device and be observed by the individual "I".

As described in the subject application, and as set forth in the claims, the light reflective device also is configured and arranged so that the viewer (V) cannot see reflections of light off of the reflective surface. Thereby preventing the individual (I) from detecting the viewer's (V) position by reflection of light off of his or her optical device. It also necessarily follows that such the configuration and arrangement for such a light reflection device, in effect reduces the area of the surface of the reflective surface that can be seen by the individual ("I"). As indicated above, for the non-parallel configuration of the vane means of the present invention, most of the points on the objective lens will have some of their lines of view blocked. Thus, as the individual ("I") moves with respect to the light reflection device, different areas of the reflective surface

would become visible and others that may have been visible before become no longer are visible.

In sum, the light reflective device of the present invention has a configuration and arrangement that maintains the viewer's wide field of view through the optical device and correspondingly the light reflective surface into the world while at the same time creating a structure whereby the light reflection device can minimize light reflections from the reflective surface of the optical device. In this way, an observer can observe an area without the image being vignetted or the wide field of view be cut off by the light reflection device while at the same time minimizing the potential for the observer being detected by reflections from the reflective surface of the optical device. Stated another way, the structure comprising the vane means can be made long enough and/ or have apertures narrow enough to provide effective glint protection without vignetting the wide field of view through the optic.

In contrast to the present invention and with reference to figure B, the light masking device in Softly is arranged so that it is disposed between the camera 32 and the screen of a television studio monitor 11. It should be recognized that as to the present invention, the position of the camera 32 in Softly corresponds to the position of the individual "I" in figure A and not to the position of the viewer "V" who is looking through the optic/ optical device. Thus, it cannot be said that Softly anywhere discloses, teaches or offers any motivation for providing a light reflection device that maintains the viewer's wide field of view.

As described in Softly, the slats 21 comprising the light masking device are configured and arranged so that the horizontally extending slats are viewed edge on by the camera 32 and so they do not interfer with the normal viewing by the camera 32 of the image being displayed on the screen of the monitor except to the extent of the slat's thickness which it is provided is minimal (e.g., se col. 2, lines 57-61). It also is described in Softly that the horizontally slats are configured and arranged so as to be suitably positioned to intercept light that otherwise might be reflected from the screen and thus impair the image being displayed on the screen. It is further provided that the slats are constrained so as to converge on a horizontal line at a selected height and a selected distance from the screen of the monitor. Moreover, Softly further describes that the light masking device intercepts the light from an upward direction because most of the light falls towards the monitor screen from the upward direction rather than the side.

As can be seen from a comparison of figure B and figure A hereto, the optical configuration of that described in Softly is completely different from that of the present invention. As indicated above, the optical configurations that are described in Softly do not include nor can they have a viewer "V" or an optical device through which the viewer views the field of view through the light reflective device as those terms are used and shown in the subject application. In Softly, the light masking device is configured and arranged so the horizontally extending slats intercept light in an upward direction that might have caused reflections while at the maintains a condition whereby the camera 32 can observe the monitor screen. In the present invention, the light reflective

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device of the present invention is configured and arranged so as to minimize light reflections from the reflective surface coming of light coming from any of a number of directions. As also explained above, such a structure of the light reflective device of the present invention also reduces the area of the reflective surface that would be visible to the individual "I", which is different from Softly where the light masking device has little impact on the viewing area of the monitor screen.

Applicant would note that anyone skilled in the optical arts would know that the light masking device disclosed in Softly is being constrained to a particular optical configuration so the camera 32 can view the monitor screen. If actions or steps where taken as taught in the present invention to intercept light coming in from a wide range of directions, then any one skilled in the art would appreciate that the light masking device would then obscure substantial portions of the monitor screen in Softly thereby interfering with the camera's ability to have a relatively unobstructed view of the monitor screen.

As such, there is no motivation, suggestion or teaching provided in Softly that would have suggested to one skilled in the art, absent the teaching of applicant's invention, to combine the references in the manner suggested in the Office Action. There also is no suggestion or teaching anywhere in either of the two references that such a modification as suggested in the Office Action would reduce light reflection for wide field of view of the optical devices. Additionally, there is no suggestion or teaching anywhere in either of the two cited references that such a modification not only would reduce reflections but also maintain the wide field of view of the optical device. Further,

there is no suggestion or teaching in either of the two references that such a modification would allow a full image to be developed of the image being viewed even though portions of the reflective surface of the optical device may be occluded by the light reflective device of the present invention.

Moreover the stated basis for making the combination, namely that one skilled in the art would combine the references to reduce reflections, is without basis. It necessarily follows that a motivation to combine because the combination would reduce reflections necessarily means that the device before such combination does not reduce reflections. However, Jones `055 provides that the device disclosed in Jones `055 and referred to by the Examiner already reduces reflections. Thus, how can it be said one skilled in the art would be motivated to combine the teaching of references to do something that the principal reference already teaches is being done.

In sum, the modification to combine is not based on a showing of some objective teaching in the prior art or knowledge generally available to one of ordinary skill in the art that would lead an individual to combine the relevant teachings of the cited references. Rather, it appears that the motivation for combining the references is based on applicant's disclosure.

Applicant also respectfully submits that the foregoing remarks regarding claim also apply to at least distinguish claim 15 from the cited combination of references.

It is respectfully submitted that claims 1-5, 7, 11 and 15 are patentable over the cited reference(s) for the foregoing reasons.

The following additional remarks shall apply to each of the above.

Assuming, arguendo, that the cited references teach what is suggested in the above identified Office Action, Applicant asserts that the 35 U.S.C. § 103 rejection of the claims is still improper because the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). In order to make out a prima facie case of obviousness, there must exist in the cited references some suggestion or teaching to combine the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat App. & Inter. 1993). Moreover, the references themselves must contain an indication that the resultant combination will be reasonably successful.

Neither Jones `055 nor Softly teach or suggest the features claimed by Applicant.

As the USPTO Board of Patent Appeals and Interferences has held, "The mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims on appeal is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation or reason for the worker in the art, without benefit of appellant 's specification, to make the necessary changes in the reference device." *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ351, 353 (BD. Pat. App. & Inter. 1984).

It is respectfully submitted that for the foregoing reasons, claim(s) 1-5, 7-9, 11 and 15 are patentable over the cited reference(s) and, therefore, satisfy the

requirements of 35 U.S.C. §103. As such, these claims, including the claims dependent therefrom are allowable.

STATEMENT CLAIMING SMALL ENTITY STATUS

The Statement Claiming Small Entity Status dated June 5, 1998 was objected to on the grounds that non-initialed and/or non-dated interlineations were made to the declaration. In prior communications, it had been indicated that a new statement would be submitted by Applicant, however, Applicant does not believe that a replacement Small Entity Statement need be submitted at this time for the following reasons.

The alteration in the Small Entity Statement to correct the address of the Corporation appears in Applicant's copy to have been initialed but apparently was not dated. As to the indication in the Office Action that the alteration fails to comply with Rule 52(c), this Rule clearly indicates that such changes must be made before signing of the declaration and that the alteration ***should*** be initialed and dated. Given that the alteration was initialed and only involves a correction to an address, it would appear that the intent of the Rule has been satisfied albeit that there may not have been full compliance with the should be language of the Rule. Further, Rule 27 also makes clear that the purpose of a Small Entity Statement is to convey the concept of the entitlement to small entity status. Nothing in the undated but initialed alteration would suggest otherwise.

Applicant also would note that Rule 27 has been substantially amended by the USPTO so assertion of Small Entity Status does not have to be only in writing as it was in its prior versions. Specifically, the Rule was amended so as to provide that the payment of the small entity fee will be treated as a written assertion of entitlement. It is clear that Applicant has paid small entity fees, including the recent fee for filing the subject CPA. In the present circumstances, and in view of the present Rules it would appear to be raising form over substance to require the submission of a new Statement Claiming Small Entity Status merely because the changed address in the as-filed Statement although initialed was not dated.

Notwithstanding the foregoing, in view of the prior Small Entity Statement and the undersigned's familiarity with the applicant and the corporation identified in the prior Small Entity Statement, and as an attorney registered in the Office, the undersigned respectfully submits that Applicant of the subject application is entitled to small entity status.

SPECIFICATION OBJECTIONS

The Examiner objected to the specification of the subject application for the reasons provide on page 3 of the above-referenced Office Action and requested correction thereof. The following addresses the specific objections of the Examiner.

Lines 21-22 on page 3 of the subject application are objected to in the Office Action on the grounds that it is not clear how the term "this surface" can include optical lenses, wide FOV lenses, binoculars, telescopes, gun sights, and night vision goggles.

The portion of the application comprises the Summary of the invention, which should be commensurate with the invention being claimed. Thus, that the surface referred to in lines 14-15 can further include any one of the optical devices or the like enumerated in lines 21-22 is perfectly acceptable language for a claim.

As to what surface of the enumerated device, anyone skilled in the art would know that the surface being referred to is that from which light would reflect therefrom if not protected by the anti-reflection apparatus of the present invention. Stated another way, it's the surface from which an observer using such a device would not want light to reflect therefrom and be seen by the enemy (e.g., soldier, or the like) and thus divulge or reveal the observer's position. Such is clearly described in the specification and clearly illustrated in the figures.

As to the concern over the lack of difference brief description of FIGS. 4 and 5, Applicant would note that it is clear from the discussion in line 39, page 2 to line 4, page 3 as well as the figures themselves that these are comparison type of figures and that Fig 4 illustrates the case where tubes would not be deep enough to give good glint protection but on the other hand not vignette the field of view. FIG. 5 on the other hand illustrates what would happen to the field of view (e.g., vignette the field of view) and the image being viewed through the device if the tubes comprising the anti-reflection shield were longer or deeper. Are both of these figures providing details of FOV angles; yes. Thus, the brief description briefly describes what each figure comprises.

As to the brief descriptions of each of FIGS 12, 13 14 and 15, it appears that the sole objection is because applicant has not used terminology that uniquely identifies

each and every embodiment in the brief description of the drawing figures. Applicant would note, that the discussion on pages 5- 6 of the subject application makes clear that each of these figures comprises an embodiment of the present invention and provides a description of each embodiment. Thus, it appears that the brief description for each of these drawing figures is being objected to because for example, Fig. 12 does not say a first embodiment, Fig. 13 does not say a second embodiment and so forth. Are these figures illustrating embodiments of the present invention; yes. Thus, the brief descriptions for the figures briefly describe what each figure comprises.

It is respectfully submitted that for the foregoing reasons, the specification satisfies applicable Patent laws and rules and, therefore is considered acceptable.

DRAWING OBJECTIONS

The Examiner objected to the drawing figures for the reasons set forth on page 2 of the above referenced Office Action and requested correction of same. Although it was indicated previously that amended drawing figures would be submitted, Applicant has determined that such amended drawing figures are not required as described below.

As to the concern involving reference numeral 12, the specification is amended to change reference numeral 12 to 6 so the specification and drawing figures are consistent.

As to the concern involving the field goggles, the claims and the drawing figures, Applicant offers the following clarification. As provide in the Abstract, there is featured systems and methods for limiting reflections off of surfaces, such as optical lenses and

field goggles. As the specification also indicates, the invention more specifically relates to minimizing reflections from objective lenses or other reflective surfaces of wide-angle field of view optics or optical devices. The subject application further indicates that such wide angle field of view optics includes night vision goggles. As the Examiner also has indicated, the specification provides a listing of optics or optical devices that can comprise the surface from which reflections are to be minimized.

The specification at page 4 for example, provides that a shield made up of deep tubes 32 having a particular arrangement is place in front of a wide-angle FOV optic 33. Thus, the field goggles are illustrated in the drawing figures. Therefore amendment of the drawing figures nor cancellation of the identified claims is not required.

As such the drawing figures are considered acceptable.

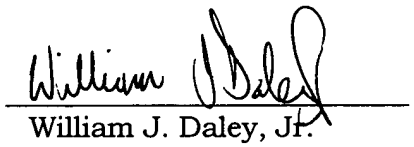
It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicant believes that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate

or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,
EDWARDS & ANGELL, LLP
DBRC Intellectual Property Practice Group

Date: February 28, 2003

By: 

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